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Attorney for Plaintiff

DEREK ROBINSON,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION – ESSEX COUNTY
Plaintiff,	:	
	:	Docket No: ESX-L-
vs.	:	
	:	Civil Action
	:	
CARMEL PLOURDE;	:	COMPLAINT and JURY DEMAND
TRANSPORT GRAYSON INC.;	:	
JOHN DOES 1-10 (names being fictitious);	:	
And ABC Corp. (name being fictitious);	:	
	:	
Defendants.	:	

Plaintiff DEREK ROBINSON, residing in the Township of Irvington, County of Essex and State of New Jersey, by way of Complaint against the Defendants, says:

COUNT ONE

1. The true names or capacities, whether individual, plural, corporate, partnership, associate or otherwise of Defendants John Does 1-10 and ABC Corp., are unknown to Plaintiff who, therefore, sues said Defendants by such fictitious names. The full extent of the facts linking said fictitiously-designated Defendants with the cause of action alleged herein are unknown to the Plaintiff. Defendants John Does 1-10 and ABC Corp., are unknown owners or operators of the

automobile(s) in question, contractors, subcontractors, tradesmen and/or workers, or their agents, servants, and employees or other persons or parties or entities responsible for the maintenance, repair and control and supervision of said automobile(s) on the date of the accident which serves as the basis of this Complaint; as well as parties or entities and/or their agents, servants and employees responsible for the operation and/or the maintenance and control of the automobile(s).

2. Plaintiff is informed and believes and thereon alleges that each of the Defendants designated herein as John Does 1-10 and ABC Corp., was/were and is/are negligently, carelessly, recklessly, unskillfully, unlawfully, tortiously, wantonly, wrongfully and legally, proximately caused injury and damages to Plaintiff. Plaintiff will hereafter ask for leave of Court to amend this Complaint to show said Defendants' true names and capacities after same has been ascertained.

3. Defendants John Does 1-10 and ABC Corp. may be directly responsible, by their negligent, careless, reckless and malicious acts or omissions, for the injuries suffered by the Plaintiff as set forth herein below. The identities of such fictitiously-named Defendants are presently unknown to Plaintiff. As soon as Plaintiff discovers the true identities of such fictitiously-named Defendants, Plaintiff will ask this Court for leave to amend the Complaint, to add such Defendants herein, *nunc pro tunc*.

4. On or about Friday, March 12, 2021, Plaintiff was an operator of a motor vehicle traveling southbound on Dr. Martin Luther King Blvd, in the City of Newark, County of Essex and State of New Jersey.

5. At same time and place, Defendant Carmel Plourde, or his/her agent, licensee, employee was operating a truck and attempting to make a left turn onto Dr. Martin Luther King Blvd southbound, in the City of Newark, County of Essex and State of New Jersey.

6. That the said truck operated by Defendant Carmel Plourde or his/her agent, licensee, or employee was registered to and owned by Defendants, Transport Grayson Inc.

7. That the Defendant, Transport Grayson Inc. negligently entrusted the said truck to Defendant Carmel Plourde, and failed to exercise better judgment and due care in that regard.

8. That at the same time and place, Defendant Carmel Plourde was an employee, licensee, or agent of Defendants, Transport Grayson Inc.

9. That at the same time and place, Defendant Carmel Plourde was operating said truck, (s)he was acting within the scope of his/her employment with Transport Grayson Inc. and performing his work at the direction of Defendants, Transport Grayson Inc.

10. At same time and place, Defendants Carmel Plourde , Transport Grayson Inc. and/or their agents, licensees, employees were negligent in the ownership, maintenance of the truck and operated said truck in such a careless and negligent manner, at an excessive rate of speed for conditions then existing, without proper observation or control, failed to yield to Plaintiff, failed to prevent the vehicle from colliding with Plaintiff's vehicle, failed to operate the truck in a safe, proper and reasonable manner under the circumstances with due regard for the safety of

others, failed to use that degree of caution commensurate with their own safety and the safety of others, causing the truck to collide with Plaintiff's vehicle and were otherwise inattentive and careless, which negligence caused the collision between the truck and Plaintiff's vehicle.

11. That as a result of the negligent actions of Defendants Carmel Plourde, Transport Grayson Inc., Plaintiff was thrown about violently and suffered severe painful bodily injuries, including a cerebral concussion, multiple contusions, abrasions about his/her body, acute cervical strain, acute lumbosacral strain with radiculopathy, multiple fractures, disc bulges, disc herniations, and post-traumatic cephalgia, which injuries necessitated his/her obtaining medical treatment, caused him/her great pain and suffering, incapacitated him/her from pursuing his/her usual employment and other activities, and have left him/her with permanent disabilities that will in the future similarly incapacitate him/her, cause him/her great pain and suffering, and require medical treatment.

12. That the conscious pain and suffering, physical injuries, and other damages suffered by the Plaintiff was proximately and directly caused by the negligent acts of Defendants, Carmel Plourde, Transport Grayson Inc., and the negligent and careless manner in which they maintained and operated their vehicle.

WHEREFORE, Plaintiff demands judgment jointly, severally or in the alternative against the Defendants on this Count for damages, interest and costs of suit.

COUNT TWO
NEGLIGENT ENTRUSTMENT

1. Plaintiff repeats and re-alleges the allegations in Count I of this Complaint as if set forth herein at length.

2. On the day and time of the accident aforesaid, Defendant Carmel Plourde was operating the truck as an agent, servant and/or employee of Defendant Transport Grayson Inc., and was acting within the scope of the permission to operate the vehicle and/or the scope of his employment.

3. Defendant Transport Grayson Inc. entrusted Defendant Carmel Plourde with a dangerous instrumentality knowing full well or should have known that Defendant Carmel Plourde intends or is likely to use the vehicle in such a manner as to create an unreasonable risk of harm to the general public.

4. As a direct and proximate result of the negligence and other careless acts of the Defendants, as set forth herein, Plaintiff has sustained serious and permanent bodily injuries.

WHEREFORE, Plaintiff demands judgment jointly, severally or in the alternative against Defendants on this count for damages, interest and costs of suit.

COUNT THREE
NEGLIGENT HIRING, TRAINING & SUPERVISION

1. Plaintiff repeats and re-alleges the allegations in Counts I and II of this Complaint as if set forth herein in their entirety.

2. Defendants, Transport Grayson Inc., as employers and supervisors of Carmel Plourde is responsible for the hiring, training and supervision of Defendant

Carmel Plourde. Transport Grayson Inc. is negligent in the hiring, training and supervision of Carmel Plourde on how to operate its truck and on how to prevent and minimize danger to the public at large and Plaintiff in particular.

3. As a direct and proximate result of the foregoing, Plaintiff was severely and permanently injured; suffered, still suffers and in the future will suffer great pain of body and mind; was and still is and in the future will be confined for periods of time; was, still is and in the future will be incapacitated from continuing the usual duties and course of conduct and employment; was, still is and will in the future be obliged to undergo medical and other needed care for the relief of said injuries and will incur large expenses for same and was otherwise damaged, injured and restricted in bodily movements, conducts, activities and functions, past, present and future.

WHEREFORE, Plaintiff demands judgment jointly, severally or in the alternative against Defendants on this Count for damages, interest and costs of suit.

JURY DEMAND

Pursuant to R. 4:35-1, Plaintiff hereby demands a trial by jury on all issues so triable.

DESIGNATION OF TRIAL COUNSEL

Pursuant to R. 4:25-4, Sebastian O. Ibezim, Jr., Esq., is hereby designated trial counsel for the Plaintiff(s).

CERTIFICATION OF COUNSEL

Pursuant to R. 4:5-1, the undersigned hereby certifies that at the time of

filing this Complaint, the matter in controversy is not the subject of any other action pending in any Court and/or arbitration proceeding. I further certify that I am unaware of any other party who should be joined in this action.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

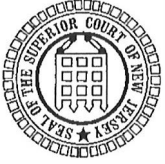
Dated: June 18, 2022

IBEZIM LAW OFFICES, P.C.

1182 Clinton Avenue, First Floor
Irvington, New Jersey 07111
Tel: (973) 351-5800
Attorney for Plaintiff

Sebastian O. Ibezim, Jr.

By: _____
Sebastian O. Ibezim, Jr., Esq.

	<h2 style="margin: 0;">Civil Case Information Statement</h2> <h3 style="margin: 0;">(CIS)</h3> <p style="margin: 5px 0;">Use for initial Law Division Civil Part pleadings (not motions) under <i>Rule 4:5-1</i> Pleading will be rejected for filing, under <i>Rule 1:5-6(c)</i>, if information above the black bar is not completed or attorney's signature is not affixed</p>		<p style="text-align: right; margin: 0;">For Use by Clerk's Office Only</p> <p>Payment type: <input type="checkbox"/> ck <input type="checkbox"/> cg <input type="checkbox"/> ca</p> <p>Chg/Ck Number: _____</p> <p>Amount: _____</p> <p>Overpayment: _____</p> <p>Batch Number: _____</p>	
	Attorney/Pro Se Name SEBASTIAN O. IBEZIM, JR, ESQ.		Telephone Number (973) 351-5800	
	Firm Name (if applicable) IBEZIM LAW OFFICES, P.C.		County of Venue Essex <input type="checkbox"/>	
	Office Address 1182 CLINTON AVENUE, FIRST FLOOR IRVINGTON, NEW JERSEY 07111		Docket Number (when available) Document Type COMPLAINT Jury Demand <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Name of Party (e.g., John Doe, Plaintiff) DEREK ROBINSON, Plaintiff		Caption DEREK ROBINSON v. CARMEL PLOURDE, ET AL		
Case Type Number (See reverse side for listing) 603N	Are sexual abuse claims alleged? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is this a professional malpractice case? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If you have checked "Yes," see N.J.S.A. 2A:53A-27 and applicable case law regarding your obligation to file an affidavit of merit.		
Related Cases Pending? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If "Yes," list docket numbers		
Do you anticipate adding any parties (arising out of same transaction or occurrence)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Name of defendant's primary insurance company (if known) <div style="text-align: right;"><input type="checkbox"/> None <input type="checkbox"/> Unknown</div>		
The Information Provided on This Form Cannot be Introduced into Evidence.				
Case Characteristics for Purposes of Determining if Case is Appropriate for Mediation				
Do parties have a current, past or recurrent relationship? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If "Yes," is that relationship: <input type="checkbox"/> Employer/Employee <input type="checkbox"/> Friend/Neighbor <input type="checkbox"/> Other (explain) <input type="checkbox"/> Familial <input type="checkbox"/> Business		
Does the statute governing this case provide for payment of fees by the losing party? <input type="checkbox"/> Yes <input type="checkbox"/> No				
Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition				
<div style="display: flex; align-items: center;"> Do you or your client need any disability accommodations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </div>		If yes, please identify the requested accommodation:		
Will an interpreter be needed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If yes, for what language?		
I certify that confidential personal identifiers have been redacted from documents now submitted to the court and will be redacted from all documents submitted in the future in accordance with <i>Rule 1:38-7(b)</i> .				
Attorney Signature:				

Civil Case Information Statement

Case Details: ESSEX | Civil Part Docket# L-003583-22

Case Caption: ROBINSON DEREK VS PLOURDE
CARMEL

Case Initiation Date: 06/20/2022

Attorney Name: SEBASTIAN ONYI IBEZIM JR

Firm Name: IBEZIM LAW OFFICES, PC

Address: 1182 CLINTON AVE

IRVINGTON NJ 07111

Phone: 9733515800

Name of Party: PLAINTIFF : ROBINSON, DEREK

Name of Defendant's Primary Insurance Company
(if known): None

Case Type: AUTO NEGLIGENCE-PERSONAL INJURY (NON-
VERBAL THRESHOLD)

Document Type: NJ eCourts Case Initiation Confirmation

Jury Demand: YES - 12 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

**Do you anticipate adding any parties (arising out of same
transaction or occurrence)?** NO

Does this case involve claims related to COVID-19? NO

Are sexual abuse claims alleged by: DEREK ROBINSON? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

**Use this space to alert the court to any special case characteristics that may warrant individual
management or accelerated disposition:**

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO **Title 59?** NO **Consumer Fraud?** NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule* 1:38-7(b)

06/20/2022
Dated

/s/ SEBASTIAN ONYI IBEZIM JR
Signed

